



FOR CLERK USE ONLY

City Council

Item No. 10

CITY COUNCIL AGENDA FACT SHEET

GENERAL SERVICES

Department

FEBRYARY 16,2010

Requested Date

1. **Request:**City Council Approval ☒Other (specify) ☐Information Only/
Presentation ☐Hearing ☐2. **Requested Action:**

APPROVAL OF ADDITION TO SCOPE OF WORK FOR THE EMERSON AVENUE
REHABILITATION ARRA (FEDERAL STIMULUS) PROJECT.

3. **Fiscal Impact:**

Revenue:

Increase ☐Decrease ☐

Source: _____

Amount: _____

Cost:

Increase ☒Decrease ☐Source: MEASURE "D" FUNDINGAmount: \$28,240.00Does Not Apply ☐4. **Reviewed By:**

Finance Dept. on _____

Comments: _____

By: _____

City Attorney on _____

Comments: _____

By: _____

Note: Back up must be submitted along with this form. Deadline is 5:00 p.m., 2 Fridays before the scheduled meeting date.

CLERK USE ONLY:

CITY COUNCIL DATE: _____

Action ☐Consent ☐Hearing ☐Filing ☐Presentation ☐Other(specify) ☐ _____

Reviewed by: City Clerk _____

Date _____

City Manager _____

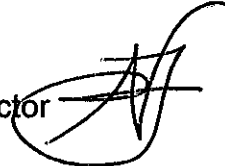
Date _____

CITY COUNCIL AGENDA REPORT

SUBJECT: Approval of Addition to Scope of Work for the Emerson Avenue Rehabilitation ARRA (Federal Stimulus) Project.

AGENDA DATE: February 16, 2010

PREPARED BY: Nick Fenley, General Services Director



APPROVED FOR AGENDA BY: Victor M. Carrillo, City Manager

RECOMMENDATION: Approve the addition to scope of work to the Emerson Avenue Rehabilitation ARRA Project to the existing agreement with **Dynamic Consulting Engineers** for Construction Management Services and authorize the funds as outlined in the FISCAL IMPACT Section.

FISCAL IMPACT: \$28,450.00 Measure "D" Funding

BACKGROUND INFORMATION: As per the attached itemized proposal, the addition to the scope of work, is as described:

DCE will provide the following services on a time and material basis:

1. Assist the City in all phases to get the project from the approved engineering plans through construction. This includes review of the bid documents prior to bidding, preparation of agendas for the pre-construction meeting, and review of contractor's initial schedule. Additional meetings with the Contractor prior to construction may be necessary to ensure a good start to the project. DCE will identify any issues, schedule and attend any such meetings.
2. Coordinate construction activity between the local agencies. DCE will be the point of contact for the project and will convey all pertinent information to the City.
3. Verify contractor's work is being completed according to plans and specifications (checking grade on asphalt, curb and gutter, storm drains, and other improvements as necessary). DCE has a Registered Land Surveyor on staff that will check grades and horizontal locations of all improvements to insure compliance with the plans and specifications.
4. Review the pay applications from the contractor and compare to the daily reports of the inspector. Any discrepancies will be resolved with the Contractor prior to sending the applications to the City for payment.
5. The City of Calexico will provide the full time inspector that will prepare the reports, which include the daily reports, photographs and descriptions and the geotechnical testing results.

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6. Coordinate notices to residents for impacts due to construction related activities (such as driveway closures, lane closures, water service disruption). DCE will meet with residents at least every two weeks for project progress updates and to address any concerns. DCE has personnel available that can speak both English and Spanish.
7. Assist the City with the ARRA and other project documentation to ensure that the funding for this and future projects will be available (by The Holt Group, Inc. as a sub-consultant).
8. Complete the labor compliance to ensure that the Contractor complies with all applicable State and Federal laws. The documentation will be saved and copied to the City. DCE will Provide a labor standards consultant, who will prepare the required reports and forward them to the funding agency promptly (see attached detailed scope of work from The Holt Group, Inc.)
9. Review traffic control plans submitted by Contractor for approval. Help coordinate all road closures if necessary. DCE will review the traffic control plans prior to and during construction.
10. Prepare agendas, schedule and attend construction meetings. It is anticipated that bimonthly construction meetings will be necessary.
11. Survey the project as it is being installed with GPS technology. This will give the City the exact horizontal and vertical location of the infrastructure for future use. This information will be placed in AutoCAD format and delivered to the City.
12. Prepare a punch list of all outstanding items during construction. These items will be brought to the Contractor's attention when they appear so that there is not a long list at the end of the project. DCE will ensure that all punch list items have been completed and assist with the close out documents.
13. Prepare As-Built (Record) drawings and deliver to the City in electronic format. Hard copies will also be provided.
14. Prepare a final report and the conclusion of the project which includes descriptions of the project events, issues and how they were addressed and pertinent photographs. The report can be used as memorial of the project, or as a staff report to the City Council. The project is scheduled to be completed in 60 working days. DCE proposes to complete the above scope of work on a time and material basis for a fee not to exceed **\$28,450.00**

DISCUSSION:

Addition to scope of work will allow for the accurate management and reporting of said ARRA project.

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February 08, 2010

Veronica Atondo, P.E.
Interim Engineering Manager
City of Calexico, Engineering Department
608 Heber Avenue
Calexico, CA. 92231

RE: Street Rehabilitation of Emerson Avenue Construction Management Proposal

Dynamic Consulting Engineers, Inc (DCE) is pleased to present you with this fee proposal for construction management services for the above project located in the City of Calexico.

DCE will provide the following services on a time and material basis:

1. Assist the City in all phases to get the project from the approved engineering plans through construction. This includes review of the bid documents prior to bidding, preparation of agendas for the pre-construction meeting, and review of contractor's initial schedule. Additional meetings with the Contractor prior to construction may be necessary to ensure a good start to the project. DCE will identify any issues, schedule and attend any such meetings.
2. Coordinate construction activity between the local agencies. DCE will be the point of contact for the project and will convey all pertinent information to the City.
3. Verify contractor's work is being completed according to plans and specifications (checking grade on asphalt, curb and gutter, storm drains, and other improvements as necessary). DCE has a Registered Land Surveyor on staff that will check grades and horizontal locations of all improvements to insure compliance with the plans and specifications.
4. Review the pay applications from the contractor and compare to the daily reports of the inspector. Any discrepancies will be resolved with the Contractor prior to sending the applications to the City for payment.
5. The City of Calexico will provide the full time inspector that will prepare the reports, which include the daily reports, photographs and descriptions and the geotechnical testing results.
6. Coordinate notices to residents for impacts due to construction related activities (such as driveway closures, lane closures, water service disruption). DCE will meet with residents at least every two weeks for project progress updates and to address any concerns. DCE has personnel available that can speak both English and Spanish.

7. Assist the City with the ARRA and other project documentation to ensure that the funding for this and future projects will be available (by The Holt Group, Inc. as a subconsultant).
8. Complete the labor compliance to ensure that the Contractor complies with all applicable State and Federal laws. The documentation will be saved and copied to the City. DCE will Provide a labor standards consultant, who will prepare the required reports and forward them to the funding agency promptly (see attached detailed scope of work from The Holt Group, Inc.)
9. Review traffic control plans submitted by Contractor for approval. Help coordinate all road closures if necessary. DCE will review the traffic control plans prior to and during construction.
10. Prepare agendas, schedule and attend construction meetings. It is anticipated that bimonthly construction meetings will be necessary.
11. Survey the project as it is being installed with GPS technology. This will give the City the exact horizontal and vertical location of the Infrastructure for future use. This information will be placed in AutoCAD format and delivered to the City.
12. Prepare a punch list of all outstanding items during construction. These items will be brought to the Contractor's attention when they appear so that there is not a long list at the end of the project. DCE will ensure that all punch list items have been completed and assist with the close out documents.
13. Prepare As-Built (Record) drawings and deliver to the City in electronic format. Hard copies will also be provided.
14. Prepare a final report and the conclusion of the project which includes descriptions of the project events, issues and how they were addressed and pertinent photographs. The report can be used as memorial of the project, or as a staff report to the City Council.

The project is scheduled to be completed in 60 working days. DCE proposes to complete the above scope of work on a time and material basis for a fee not to exceed **\$28,450.00**

PROPOSAL
For
LABOR STANDARDS CONSULTING SERVICES
For the Emerson Avenue Improvements Project
Funded by Caltrans
Under the American Recovery and Reinvestment Act (ARRA) of 2009
Submitted February 3, 2010

I. HISTORY OF THE HOLT GROUP

The Holt Group Inc. is an Equal Opportunity Employer that has been in business in the Imperial Valley for 25+ years. The Holt Group has a multi ethnic, multi lingual staff of Civil Engineers, AICP Planners, L/S Surveyors and Construction Management teams. The Holt Group Inc. has maintained a Labor Standards Monitoring Department for the past 10 years to assist our municipal and private clients in compliance with the ever changing prevailing wage requirements when awarding or contracting a public works project.

The Holt Group's labor standards compliance staff has attended multiple trainings provided by HUD and other training facilities for public works projects that require compliance with the Davis Bacon and Related Acts. In addition, The Holt Group staff has attended several trainings pertaining to the California Department of Industrial Relations prevailing wage requirements for public works projects and Labor Compliance Programs. Individual training by Ms. Karen Belcher with the Department of Apprenticeship Standards has been provided to The Holt Group staff for the evolving apprenticeship requirements as required by the California Labor Codes section 1777.5. The Holt Group Inc. has prepared a comprehensive Third Party Labor Compliance Program and submitted it to the State Labor Commissioner for approval to operate a third party labor compliance program.

The Holt Group, Inc. has provided Labor Standards Compliance services to various cities and the Imperial County for numerous public works construction projects in the County of Imperial including the Westmorland Water Treatment Plant Expansion, the City of Imperial Colonia Water and Sewer Improvements, and the Brawley Union High School expansion. The Holt Group Inc. is also serving as Labor Standards Consultant on several ongoing projects. A list is attached to the end of this proposal. Currently The Holt Group Inc. is performing Labor Compliance Consulting and monitoring services for four (4) ARRA funded public works projects and have received 2 RFPs for two other ARRA funded public works projects.

Per your request, The Holt Group Inc. respectfully submits a proposal to the Dynamic Consulting Engineers Inc. for Labor Standards Consulting Services.

II. SCOPE OF SERVICES

The Holt Group, Inc., Labor Standards Consultant proposes to perform the following services:

A. Labor Procedures

It is critical that the Labor Standards Consultant be involved at the commencement of the project to ensure timely compliance with various aspects of labor laws. The Labor Standards Consultant shall serve as the contact person for issues related to labor standards compliance. The Labor Standards Consultant shall assist the awarding agency with the preparation of the current wage decisions and the construction contract to ensure the required federal and state contract verbiage is included in the prime contractor's contract with the awarding agency and the prime contractor's contracts with his subcontractors.

B. Wage Decisions

The Labor Standards Consultant shall obtain applicable State and federal wage decisions as required from the California Department of Industrial Relations and The U.S. Department of Labor. A copy of the complete and current wage decision shall be provided to the prime contractor and all sub-contractors for inclusion in all subsequent contractor/sub-contractor contracts as required by labor laws.

C. Pre-bid Conference, Contractor Eligibility and Certifications and Pre-Construction Conference

The Labor Standards Consultant will perform the following duties:

1. The Labor Standards Consultant shall attend the Pre-Bid Conference and provide labor standards compliance informational. The Labor Standards Consultant shall be made available by telephone or e-mail for further consultation if requested.
2. Following the bid opening and the project award by the awarding agency the Labor Standards Consultant shall verify the prime contractor and sub-contractors eligibility through the State Contractors Licensing Board and the State of California debarment list and the federal debarment list.
3. The Labor Standards Consultant shall attend the Pre-construction Conference and provide a labor standards compliance handout of the California Labor Codes and the Federal Labor Standards Provisions pertaining to public works projects. The Labor Standards Consultant shall be made available for further consultation by telephone or e-mail and labor standards compliance training if requested.

4. The Labor Standards Consultant shall make available to the contractors and sub-contractors the required forms, documentation and contract language requirements on a CD and will provide access to The Holt Group Inc. website to obtain directly the forms, documentation and contract language requirements.

D. Monitoring of Payroll Reviews and On Site Employee interviews

1. **Payroll Reviews:** The Labor Standards Consultant shall provide the contractor and sub-contractors with copies of sample Payroll Form WH-347 and A-1-131. Submitted payrolls shall be reviewed promptly for compliance with applicable labor standards by verifying that only classifications appearing on the wage determination are used and by checking for the disproportionate employment of apprentices. The Labor Standards Consultant shall review fringe benefits, deductions, and computations verifying that all required information is provided.
2. **On-Site Employee Reviews:** The Labor Standards Consultant will conduct on-site interviews with various employees of the contractor/sub-contractors to include at least ten percent (10%) of the workers in all job classifications. The interviews will be compared against applicable payrolls for compliance with wage decisions. The on-site interviews will be scheduled to minimize the inconvenience for the employer and employee.
3. **Request for Information:** The Labor Standards Consultant shall inform in writing the awarding agency immediately on receipt of a RFI from an individual or individuals requesting copies or any forms or documents in complying with the California Labor Code Section 1776.

E. Correction of Violations

In the event that non-compliance of labor standards results in underpayment to employees, the Labor Standards Consultant will take action limited to the following:

1. **Notification:** The Labor Standards Consultant shall notify the awarding agency immediately in writing and the prime contractor in writing of wage adjustments and requirements.
2. **Withhold Funds:** The Labor Standards Consultant shall recommend, if applicable, that the awarding agency withhold sufficient funds from prime contractor to provide restitution to under paid workers, or to effectuate compliance. The Labor Standards Consultant shall obtain full compliance from the contractor/subcontractor for any non compliance issue per the California Labor Codes and the Davis Bacon and Related Acts.

F. Reports

The Labor Standards Consultant shall prepare the required reports and forward them to the awarding agency promptly to ensure the awarding agency has ample time to comply with the reporting requirements of the State and Federal agencies.

1. The Labor Standards Consultant shall prepare the semi-annual and annual reports for HUD/DBRA and submit them to the awarding agency to sign and forward on to the federal agency.
2. The Labor Standards Consultant shall notify the prime contractor to ensure compliance with the ARRA requirement to comply with the EEO monthly affirmative action report (Form EEO-1). The Labor Standards Consultant shall require the prime contractor to communicate the requirement to prepare the EEO-1 report to all sub-contractors.
3. The Labor Standards Consultant shall prepare the Final Wage Compliance report required by HUD/DBRA and submit it to the awarding agency to sign and forward on the federal agency.

G. Labor Compliance Files

1. The Labor Standards Consultant shall protect and maintain the labor compliance files in a locked secure cabinet for the duration of this project.
2. On completion of all construction activities and the labor compliance requirements, The Labor Standards Consultant will provide to the awarding agency all original and copies of the Labor Standards Compliance documentation including but not limited to the certified payroll reports, fringe benefits statements, contracts, daily sign in sheets, contractor's license documentation, etc.
3. The Labor Standards Consultant shall make the labor standards compliance files available for inspection and review upon request by the awarding agency or a Federal or State agency. On request, the Labor Standards Consultant shall be available to assist in any audit or review.

III. EXCLUSIONS

The Holt Group, Inc., acting as Labor Standards Consultant, will take on an advisory role as the Labor Standards Consultant for Dynamic Consulting Engineers Inc. The Labor Standards Consultant shall not be responsible for delays caused by the contractor/sub-contractor in furnishing required payrolls, certifications, or statements. The Labor Standards Consultant shall not interpret any labor standards requirements in the event of a dispute. The Labor Standards

Consultant will contact the appropriate agency for a determination. Copies of all records submitted to Dynamic Consulting Engineers Inc. shall be made available to the Labor Standards Consultant. The Labor Standards Consultant shall return all records to the awarding agency.

Prepared by: Richard Ransdell, Senior Labor Compliance Office
Attachment 'A', Fee schedule
Attachment 'B', Mr. Ransdell's resume
Attachment 'C', References (3)
Attachment 'D', Contract History

James G. Holt P.E. Chief Financial Officer
The Holt Group
1601 N. Imperial Avenue
El Centro, CA 92243

Attachment A

HOURLY RATE SCHEDULE
FOR THE City of Calexico
Effective January 1, 2010
through December 31, 2010

Engineering

Senior Labor Compliance Officer	\$88.00/hour
Assistant Labor Standards Coordinator	\$72.00/hour
Bilingual Interviewer	\$70.00/hour

Administrative Support

Word Processor	\$60.00/hour
Clerical/Office Technician/ Courier	\$54.00/hour

Reimbursable Expenses

Photocopies (each)	\$0.35
Postage & Long Distance Phone Calls	Cost + 15%
Vehicle Mileage	\$0.505/mile

Attachment B

RICHARD RANSDALL'S RESUME

Mr. Richard Ransdell joined The Holt Group, Inc. in April 1998 as a Housing Rehabilitation Specialist. Mr. Ransdell has been employed for more than 35 years in various fields of the construction industry such as building pad preparation, pipe lines, concrete slab and concrete forming work, framing and finish carpentry work, including cabinet making. Mr. Ransdell has experience with surveying, materials and labor management and sub-contractor scheduling. Mr. Ransdell has a working knowledge of architectural and engineering plans, drawings and job manuals. Mr. Ransdell has performed Construction Management and quality control over several construction projects. Mr. Ransdell has performed his duties as the labor compliance officer for various construction projects in the Imperial Valley for various cities and awarding agencies. Mr. Ransdell currently is the Labor Compliance Department Supervisor with a staff of three assistants. Mr. Ransdell possesses the State of California, Department of Public Health (CDPH) Lead Inspector/Risk Assessor Certification #11408 and the Environmental Protection Agency/Occupational Safety & Health Administration (EPA/OSHA) Asbestos Building Inspector/Contractor-Supervisor Certification #6979.

Mr. Ransdell possesses extensive training and experience in 'Labor Standards' compliance from HUD, HCD (CDBG & HOME), Department of Industrial Relations (DIR), Caltrans and Davis Bacon and Related Acts. Mr. Ransdell has recently attended several courses focusing on the newly enacted 'Apprentice Employment Requirements (CLC 1777.5)'. Mr. Ransdell has been the 'Labor Standards Coordinator/Compliance Officer' for the Cities of Westmorland, Calipatria, Imperial, El Centro, Brawley, Heber Public Utilities District and the Imperial County and has been a consultant to several private construction companies in the southern California area. Also, Mr. Ransdell has specialized training for Labor Standards Compliance on HUD, Davis Bacon and Related Acts for projects in the State of Arizona.

Mr. Ransdell has prepared a Third Party Labor Compliance Program and submitted it to the California Labor Commissioner at the Division of Labor Standards Enforcement for approval. Mr. Ransdell was required to make several revisions and the LCP is submitted for final approval.

Mr. Ransdell is currently performing labor compliance monitoring on three public works projects that have received grant funding by the American Recovery and Reinvestment Act (ARRA).

Attachment C

Current references:

1. City of El Centro
Stacy Cox
CD Specialist I
1249 Main Street
El Centro, CA 92243
(760) 335-3538
2. Imperial County, Public Works Department
Michael Cooke
Construction Engineering Coordinator
155 S 11th. Street
El Centro, CA 92243
(760) 482-4462
3. City of Holtville
Rosa Ramirez
Finance Manager
121 W. 5th Street
Holtville, CA 92250
(760) 356-4685
4. City of Imperial
Jorge Galvan
City Senior Planner
420 S. Imperial Avenue
Imperial, CA 92251
(760) 355-3326
5. Imperial County Planning & Development Services
Esperanza Colio
Economic Development Division Manager
801 Main Street
El Centro, CA 92243
(760) 482-4981

Attachment D

Labor Standards Compliance Monitoring projects past and current.

DATES	PROJECT	RESPONSIBLE JURISDICTION	CONTRACT AMOUNT	COMPLETED / ON GOING
1999	Westmorland Senior Citizens Center ADA Renovations	City of Westmorland	\$ 60,000	Completed
2000	Westmorland Youth Center ADA Renovations	City of Westmorland	\$ 80,000	Completed
1999-2001	Westmorland Water Treatment Plant Renovations	City of Westmorland	\$ 8,000,000	Completed
1999-2001	Westmorland Waste Water Treatment Plant Renovations	City of Westmorland	\$ 9,000,000	Completed
2002	Calipatria Library Expansion with ADA Renovations	City of Calipatria	\$ 150,000	Completed
2001	Imperial Colonia Water Sewer Improvements	City of Imperial	\$ 2,500,000	Completed
2003	Brawley Lions Center Expansion and Renovations	City of Brawley	\$ 2,750,000	Completed
2003	West Main Street Improvements Caltrans	City of Calipatria / Caltrans	\$ 1,000,000	Completed
2002-2003	Brawley Union High School	Brawley School District & TSI	\$ 15,000,000	Completed
2003	Calipatria High School	Calipatria School District & TSI	\$ 12,000,000	Completed
2003	El Dorado Colonia Project	City of El Centro	\$ 3,000,000	Completed
2003	Redevelopment Incubator Building	City of El Centro	\$ 2,500,000	Completed
2003	Country Side Apartments	City of El Centro	\$ 3,000,000	Completed
2003	Westmorland Family Apartments	Westmorland	\$ 3,000,000	Completed
2003	Imperial Garden Apartments	City of Imperial	\$ 3,000,000	Completed
2004	Heber Family Apartments, Phase I	Imperial County	\$ 3,000,000	Completed
2005	Calipatria Beautification Hwy 111	City of Calipatria	\$ 2,500,000	Completed
2006	Heber Family Apartments, Phase II	Imperial County	\$ 4,000,000	Completed

DATES	PROJECT	RESPONSIBLE JURISDICTION	CONTRACT AMOUNT	COMPLETED / ON GOING
2007	Calipatria Family Apartments (HOME)	City of Calipatria	\$ 4,000,000	Completed
2007	Street Improvements, Phase 6	City of Brawley	\$ 750,000	Completed
2007	Pedestrian Improvements	City of Brawley	\$ 75,000	Completed
2007	Street Improvements (POE)	Imperial County	\$ 800,000	Completed
2007	Downtown Rehabilitation (RDA)	City of Imperial	\$ 780,000	Completed
2008	Manhole Rehabilitation	City of Brawley	\$ 75,000	Completed
2008	Police Station Renovations (CDBG)	City of Brawley	\$ 75,000	Completed
2008	Street Improvements (Caltrans)	City of Holtville	\$ 500,000	Completed
2008	Fern Street (Caltrans)	City of Holtville	\$ 600,000	Completed
2008	Babe Ruth Park (Parks & Rec. Grant)	City of Holtville	\$ 65,000	Completed
2009	Intersection Improvements (POE)	Imperial County	\$ 85,000	Completed
2009	Palo Verde Fire Station Improvements	Imperial County	\$ 65,000	Completed
2009	Ocotillo Fire Station Improvements	Imperial County	\$ 29,999	Completed
2009	Winterhaven Fire Station Improvement	Imperial County	\$ 15,000	Completed
2009	El Dorado Street Improvements	City of El Centro	\$ 1,500,000	Closing Out
2009	Raw Water Pipeline (ARRA)	HPUD	\$ 2,500,000	Closing Out
2009	Water Treatment Plant Improvements	City of Holtville	\$ 2,500,000	Working
2009	Adult Center Additions (Parks)	City of El Centro	\$ 900,000	Working
2009	Winterhaven Water Treatment Plant	Imperial County	\$ 55,000	Closing Out
2009	Holt Avenue Road (ARRA)	City of Holtville	\$ 250,000	Working
2009	Walnut Street (ARRA)	City of Holtville	\$ 250,000	Working
2010	POE Colonia, Street (CDBG)	Imperial County	\$575,000	Working
2010	El Centro Plunge Demolition (RDA)	City of El Centro	\$850,000	Working
2010	El Centro RDA Office	City of El Centro	\$ 650,000	Working
2010	Imperial Center Infrastructure Improvements (ARRA)	Imperial County	\$ 3,250,000	Working
2010	El Centro Sports Center	City of El Centro	\$ 3,500,000	Pending